

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 12815, of Horning Brothers, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3104.42 for a new residential development to permit a theoretical sub-division and new residential development comprising forty-one row dwellings, twenty six semi-detached dwellings and five detached apartment houses in the R-5-A District at the premises 222-490 Taylor Street, N.E. (Square 3663, Lot 819)

HEARING DATES: November 22, 1978 and January 10, 1979

DECISION DATE: January 10, 1979

DISPOSITION: Application granted with conditions by a vote of 4-0 (Ruby B. McZier, Charles R. Norris, Chloethiel Woodard Smith and William F. McIntosh to GRANT, Leonard L. McCants not voting)

FINAL DATE OF THE ORDER: March 2, 1979

FINDINGS OF FACT:

1. Subsequent to the issuance of an order approving the application with conditions, the architect for the applicant, by letter dated March 22, 1979, requested the Board to approve revised plans for the apartment portion of the project. The plans which the applicant now seeks approval of are marked as Exhibit 51 of the record.

2. The revisions requested by the applicant are as follows:

- A. The number of apartment units is increased from 150 to 153.
- B. The mix of apartment unit has been modified slightly, to reduce the number of one bedroom units by three, change the one bedroom and den units to two bedroom units and reduce the number by two and, increase the number of two bedroom units by eight. The net result is an increase of eleven bedrooms for the total project.
- C. The parking layout has changed slightly, to compensate for the increase in units.
- D. The footprint of the buildings has changed slightly, to reflect a different elevation for the building.

E. The location of buildings three and four, near Taylor Street has been shifted to the east because of poor soil condition.

F. The roof lines have been modified to include pitched roofs rather than the flat, built-up roofs as originally proposed.

3. All of these revisions occurred during the architect's preparation of final working drawings for the project, and represent normal deviations which will occur during development of final plans. The plans submitted to the Board originally were preliminary, and did not represent working drawings.

4. The modifications requested are all minor in nature. The change in the number of units and number of bedrooms is an increase of slightly over one per cent.

5. The revisions to the plans do not change the relief requested from the Board. No variances are required.

6. All of the material facts which the Board relied upon in granting the application initially remain unchanged and are still relevant.

7. After considering the applicant's request at its public meeting held on April 4, 1979, the Board directed the staff to advise the other parties to the case of the requested modifications, and give them an opportunity to comment on the request.

8. By memorandum, dated April 10, 1979, marked as Exhibit 50 of the record, the parties to the case were given ten days to submit any objections to the proposed modifications. As of May 1, 1979 no communications were received from any party.

#### CONCLUSIONS OF LAW AND OPINION:

The Board concludes that the proposed modifications are minor in nature, and that they represent normal deviations which will occur when preliminary plans are developed into final drawings. The Board concludes that the relief requested of the Board is unchanged, and that all material facts relied upon in granting the application are still relevant. The Board notes that there was no opposition to the proposed modifications.


It is theredore ORDERED that the modification of plans is APPROVED, and that the plans marked as Exhibit 51 of the record are hereby APPROVED and shall be substituted for those originally submitted to and approved by the Board. In all other respects, the Order dated March 2, 1979 shall remain in full force and effect.

DECISION DATE: April 4, 1979

VOTE: 4-0 (Leonard L. McCants, Charles R. Norris, Chloethiel Woodard Smith and William F. McIntosh to APPROVE modifications).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 3 MAY 1979